

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

ANDRE D. PERKINS]	
Petitioner,]	
]	
v.]	No. 3:13-0488
]	Judge Trauger
WARDEN HENRY STEWARD]	
Respondent.]	

O R D E R

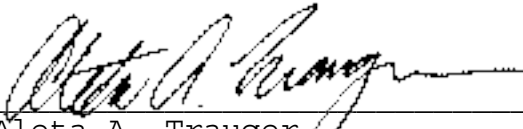
The Court has before it petitioner's *pro se* § 2254 petition (Docket Entry No.1) for writ of habeas corpus, respondent's motion (Docket Entry No.19) to dismiss the petition, petitioner's motion (Docket Entry No.20) to amend the petition, and the expanded record.

In accordance with the Memorandum contemporaneously entered, the Court finds merit in respondent's motion (Docket Entry No.19) to dismiss. Accordingly, respondent's motion to dismiss is GRANTED, the petition and motion to amend petition are DENIED, and this action is hereby DISMISSED without prejudice. Rule 8(a), Rules -- § 2254 Cases.

Should the petitioner file a timely notice of appeal from this order, such notice shall be treated as an application for a certificate of appealability, 28 U.S.C. § 2253(c), which will NOT issue because the petitioner has failed to make a substantial

showing of the denial of a constitutional right.

It is so ORDERED.



Aleta A. Trauger
United States District Judge